

STATE OF KANSAS) SS
SHAWNEE COUNTY)
RECEIVED FOR RECORD

103411

FEB 21 10 54 AM '80

8/155

REGISTER OF DEEDS
JEAN C. ORIEN

AMENDMENT NO. 3 TO THE

DECLARATION OF CONDOMINIUM
OF
PHEASANT RUN BUILDINGS 1, 2, 3, 4, 5, 6 AND 7, BY EXPANDING
TO INCLUDE BUILDINGS 8, 9, 10, 11, 12, 13, 14, 15 AND 16,
A CONDOMINIUM IN TOPEKA, SHAWNEE COUNTY, KANSAS

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM is made
on this 21st day of February, 1980, by PHEASANT RUN COMPANY, a General Partner-
ship, hereinafter referred to as the "Developer".

WITNESSETH:

WHEREAS, the Developer has previously executed a Declaration of
Condominium for Pheasant Run Buildings 1, 2, 3, 4, 5, 6 and 7, a Condominium
in Topeka, Shawnee County, Kansas. That said Declaration, together with its
Exhibits, was recorded in the Register of Deeds of Shawnee County, Kansas, in
Book 5, Pages 94-176, on the 16th day of May, 1979.

WHEREAS, the Developer previously executed Amendment No. 1 to
the Declaration of Condominium for Pheasant Run Buildings 1, 2, 3, 4, 5, 6 and 7
which is recorded in Book 6 at Page 151-154 in the Register of Deeds of Shawnee
County, Kansas.

WHEREAS, the Developer previously executed Amendment No. 2 to
the Declaration of Condominium for Pheasant Run Buildings 1, 2, 3, 4, 5, 6 and 7
which is recorded in Book 7 at Page 219-222 in the Register of Deeds of Shawnee
County, Kansas.

WHEREAS, the original Declaration of Condominium, pursuant to K.S.A.
58-3111 and K.S.A. 58-3115(b) reserved in Article V thereof, beginning at Page 20
thereof, the right to further expand the Condominium by subsequent amendment by
adding certain described real estate which was set forth in the original Declaration
and the Developer is now desirous, by this Amendment, of expanding said Declara-
tion of Condominium to include the real estate described in the original Declaration
of Condominium at Section 5.2(a).

RECORDED

8-21-80

WHEREAS, in addition to the reservation to expand the Condominium, the original Declaration of Condominium for Pheasant Run Buildings 1, 2, 3, 4, 5, 6 and 7 also reserved, at Section 5.3 on Page 22, the right to reallocate interests in the common area pursuant to later expansions of the Condominium Declaration. In addition, at Section 5.9 on Page 24 of the Declaration, there was a reservation permitting the Developer to add additional common areas and limited common areas as the expansions occurred.

NOW, THEREFORE, the Developer makes the following Amendment to its Declaration of Condominium heretofore filed herein with this Amendment being made in accordance with the provisions of the Kansas Apartment Ownership Act.

1. That pursuant to the Kansas Apartment Ownership Act, the Developer, PHEASANT RUN COMPANY, a General Partnership, hereby makes the following Declarations of Condominium as to the real property hereinafter described and, further, reserves to itself additional rights, as hereinafter stated.

2. That the following described real property is presently owned by the Developer and is located on a portion of Lot 13, in Block A in the John O. Allen Subdivision No. 2, in the City of Topeka, Shawnee County, Kansas, the Plat of the John O. Allen Subdivision No. 2, of which the hereinafter declared property is a part, is to be found in Book 25 at Page 127 of the records of the Register of Deeds of Shawnee County, Kansas. The legal description of the total property which is herein declared as Condominium property, pursuant to this Amendment expanding the pre-existing Condominium, is shown in a graphic survey prepared by Bartlett & West, Consulting Engineers, P.A., a copy of which was attached to the original Declaration of Condominium, labeled as Exhibit "C", and more specifically located in Book 5 at Page 170 of the Condominium records in the office of the Register of Deeds of Shawnee County, Kansas, and a written description is as follows:

A tract of land located in the northwest quarter of Section 9, Township 12 South, Range 15 East of the 6th P.M., City of Topeka, Shawnee County, Kansas, more particularly described as follows:

Commencing at the southwest corner of Lot 13, Block A, John O. Allen Subdivision No. 2, City of Topeka, Shawnee County, Kansas; thence on Az 87

degrees 58 minutes 55 seconds, 758.24 feet along the South line of said lot to the centerline of a utility easement, said point being the POINT OF BEGINNING; thence on Az 357 degrees 58 minutes 55 seconds, 117.00 feet; thence on Az 267 degrees 58 minutes 55 seconds, 221.00 feet; thence on Az 357 degrees 58 minutes 55 seconds, 304.00 feet; thence on Az 267 degrees 58 minutes 55 seconds, 40.28 feet; thence on Az 357 degrees 58 minutes 55 seconds, 99.40 feet to a point on the North line of said lot; thence 15.00 feet easterly along said North line around a curve to the left having a radius of 280.00 feet, a central angle of 3 degrees 04 minutes 10 seconds, a chord of 15.00 feet and a chord Az of 39 degrees 31 minutes 00 seconds; thence on Az 87 degrees 58 minutes 55 seconds, 182.78 feet along said North line; thence 13.91 feet southeasterly along said North line around a curve to the right having a radius of 15.00 feet and a central angle of 53 degrees 07 minutes 48 seconds; thence 83.37 feet along said North line to the northeast corner of said lot around a curve to the left having a radius of 60.00 feet and a central angle of 79 degrees 36 minutes 36 seconds; thence on Az 151 degrees 30 minutes 07 seconds, 554.46 feet along the East line of said lot to the southeast corner of said lot; thence on Az 267 degrees 58 minutes 55 seconds, 270.48 feet along said South line to the point of beginning and containing 3.78 acres, more or less.

3. ACTUAL LOCATIONS OF BUILDINGS 8 THROUGH 16 OF PROJECT.

The Developer will construct upon the land, hereinafore described as expanded Condominium property and graphically displayed in Book 5, at Page 170, of the Condominium records in the office of the Register of Deeds of Shawnee County, Kansas, certain improvements consisting of nine (9) buildings, with each building housing four apartment units. The location of each of the buildings to be constructed in this expanded Condominium property has been established by the consulting engineers for the Developer and has been reflected and certified Plats of Survey as follows:

(a) Building No. 8, also known as Building Site No. 8, the plat and location of which is shown in Exhibit "A-1", attached hereto and incorporated herein by reference, as if set out in full herein.

(b) Building No. 9, also known as Building Site No. 9, the plat and location of which is shown in Exhibit "A-2", attached hereto and incorporated herein by reference, as if set out in full herein.

(c) Building No. 10, also known as Building Site No. 10, the plat location of which is shown in Exhibit "A-3", attached hereto and incorporated herein by reference, as if set out in full herein.

(d) Building No. 11, also known as Building Site No. 11, the plat and location of which is shown in Exhibit "A-4", attached hereto and incorporated herein by reference, as if set out in full herein.

(e) Building No. 12, also known as Building Site No. 12, the plat and location of which is shown in Exhibit "A-5", attached hereto and incorporated herein by reference, as if set out in full herein.

(f) Building No. 13, also known as Building Site No. 13, the plat and location of which is shown in Exhibit "A-6", attached hereto and incorporated herein by reference, as if set out in full herein.

(g) Building No. 14, also known as Building Site No. 14, the plat and location of which is shown in Exhibit "A-7", attached hereto and incorporated herein by reference, as if set out in full herein.

(h) Building No. 15, also known as Building Site No. 15, the plat and location of which is shown in Exhibit "A-8", attached hereto and incorporated herein by reference, as if set out in full herein.

(i) Building No. 16, also known as Building No. 16, the plat and location of which is shown in Exhibit "A-9", attached hereto and incorporated herein by reference, as if set out in full herein.

4. INTENTION OF DEVELOPMENT OF CONDOMINIUM

The expanded Condominium project reflected in this Amendment is to be known as the PHEASANT RUN CONDOMINIUMS and will consist of the original phase, previously declared as Condominiums of seven (7) buildings, and this expanded phase of Condominiums consisting of nine (9) buildings for an overall total of sixty-four (64) living units. Each of the units in the original Declaration of Condominium and each of the units in this Expanded Condominium Declaration shall be considered separate Condominiums.

5. DECLARATION OF EASEMENTS OF STREETS AND WAYS.

The Developer hereby dedicates and creates as additional common area available to all parties in this Expanded Condominium, as well as those in the original Condominium, as hereinafter provided, all that portion of the property described in Paragraph 2 hereof, except that portion hereafter declared as Condominium Apartment Units available for private ownership. An easement

for ingress and egress is hereby declared, dedicated and created over and across said common areas. The location of specific streets and ways shall be at the discretion of the Developer. The consulting engineer for the Developer has shown the intended general location of such streets and ways on Exhibit "B" which is attached hereto and incorporated herein by reference, as if set out in full herein. All of the private streets and ways described on said Plat of Survey of this Expanded Condominium will be known as common area as the same is hereinafter described and provided for and shall be considered as additional common area to that common area previously established by the original Declaration of Condominium. Exhibit "B" hereof provides a graphic description of the general location of such private streets and ways. Each of the apartment units of this Expanded Condominium shall, pursuant to the requirements of Kansas law, have direct access for purposes of ingress and egress to the common area of private streets and ways, as herein dedicated, and, in addition, shall have direct access for purposes of ingress and egress to all of the common areas for private streets and ways originally dedicated in the original Declaration of Condominium of Pheasant Run Buildings 1, 2, 3, 4, 5, 6, and 7 in Shawnee County, Kansas. In addition, each of the apartment units will have access for the purpose of ingress and egress from such living units to Southwest Westport Drive and Southwest 22nd Terrace, both dedicated public streets of the City of Topeka, Shawnee County, Kansas. It is not the intention of this Declaration of Expanded Condominium, nor has the Developer taken any previous action to dedicate the private ways and streets shown herein as public streets, nor the original private ways and streets as shown in the original Declaration of Condominium as public streets. These streets and ways, as well as the original streets and ways, are considered as common area and are reserved for the exclusive use and benefit of the owners of the Pheasant Run Condominium herein declared, as well as those previously declared, together with their family, guests, invitees, devisees, heirs, mortgagees, successors and assigns. It shall be the continuing responsibility of the Pheasant Run

Condominium Homeowners Association, Inc., a Kansas non-profit corporation, previously established pursuant to the original Declaration of Condominium, to care for and maintain the private streets and ways included in this Expanded Condominium Declaration, as well as those previously declared, and to provide for the charging to the apartment units of this Expanded Condominium, as those created by the original Declaration of a pro rata cost of such maintenance.

6. STRUCTURAL DESCRIPTION OF PHEASANT RUN CONDOMINIUMS BUILDINGS 8 THROUGH 16.

The following is intended as a general structural description of each of the buildings making up this Expanded Condominium:

(a) Pheasant Run Condominium Building No. 8, otherwise known as 5805 Southwest 22nd Terrace, and shown graphically on Exhibit "A-1", shall consist of four apartment units, when completed, each consisting of two bedrooms, one of the four units shall include one bath, a living room and kitchen, with deck or patio, and three of the units shall contain 1-1/2 baths, with deck or patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(b) Pheasant Run Condominium Building No. 9, otherwise known as 5803 Southwest 22nd Terrace, and shown graphically on Exhibit "A-2", shall consist of four apartment units, when completed, each consisting of two bedrooms, one of the four units shall include one bath, a living room and kitchen, with deck or patio, and three of the units shall contain 1-1/2 baths with deck or patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(c) Pheasant Run Condominium Building No. 10, otherwise known as 5801 Southwest 22nd Terrace, and shown graphically on Exhibit "A-3", shall consist of four apartment units, when completed, each consisting of two bedrooms, two of the four units shall include two baths, a living room and kitchen, with deck or patio, and two of the units shall contain 1-1/2 baths with deck or patio. As more specifically described

in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(d) Pheasant Run Condominium Building No. 11, otherwise known as 5807 Southwest 22nd Terrace, and shown graphically on Exhibit "A-4", shall consist of four apartment units, when completed, each consisting of two bedrooms, two of the four units shall include two baths, a living room and kitchen, with deck or patio, and two of the units shall contain 1-1/2 baths with deck or patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(e) Pheasant Run Condominium Building No. 12, otherwise known as 5811 Southwest 22nd Terrace, and shown graphically on Exhibit "A-5" shall consist of four apartment units, when completed, each consisting of two bedrooms, one of the four units shall consist of one bath and one unit shall consist of 1-1/2 baths and the other two units shall consist of two baths, a living room and kitchen, with deck or patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(f) Pheasant Run Condominium Building No. 13, otherwise known as 5815 Southwest 22nd Terrace, and shown graphically on Exhibit "A-6", shall consist of four apartment units, when completed, each consisting of two bedrooms, two of the units shall consist of two baths, a living room and kitchen, with deck and patio and the other two units shall have 1-1/2 baths, with deck or patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(g) Pheasant Run Condominium Building No. 14, otherwise known as 5809 Southwest 22nd Terrace, and shown graphically on Exhibit "A-7", shall consist of four

apartment units, when completed, each consisting of two bedrooms, one of the units shall have one bath, one unit with 1-1/2 bath and two units with two baths, a living room and kitchen, with deck and patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(h) Pheasant Run Condominium Building No. 15, otherwise known as 5813 Southwest 22nd Terrace, and shown graphically on Exhibit "A-8", shall consist of four apartment units, when completed, each consisting of two bedrooms, two of the four units shall include two baths and two of the four units shall include 1-1/2 baths, a living room and kitchen, with deck and patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(i) Pheasant Run Condominium Building No. 16, otherwise known as 5817 Southwest 22nd Terrace, and shown graphically on Exhibit "A-9", shall consist of four apartment units, when completed, each consisting of two bedrooms, one of the four units shall include one bath, a living room and kitchen, with deck or patio, and three of the units shall contain 1-1/2 baths with deck or patio. As more specifically described in the floor plans filed with the Register of Deeds of Shawnee County, Kansas, in conjunction with this Declaration of Expanded Condominium Amendment, all as required by K.S.A. 58-3113. This building shall be constructed with no basement and with a concrete foundation.

(j) The Apartment Number of each Apartment Unit

The following shall be the street address and unit number of each of the apartments of the total thirty-six (36) units making up this Expanded Condominium:

1. Building No. 8, more specifically known as 5805 Southwest 22nd Street Terrace

Unit 1 - 5805 Southwest 22nd Terrace No. 1;
Unit 2 - 5805 Southwest 22nd Terrace No. 2;
Unit 3 - 5805 Southwest 22nd Terrace No. 3;
Unit 4 - 5805 Southwest 22nd Terrace No. 4;

2. Building No. 9, more specifically known as
5803 Southwest 22nd Terrace

Unit 1 - 5803 Southwest 22nd Terrace No. 1;
Unit 2 - 5803 Southwest 22nd Terrace No. 2;
Unit 3 - 5803 Southwest 22nd Terrace No. 3;
Unit 4 - 5803 Southwest 22nd Terrace No. 4;

3. Building No. 10, more specifically known as
5801 Southwest 22nd Terrace

Unit 1 - 5801 Southwest 22nd Terrace No. 1;
Unit 2 - 5801 Southwest 22nd Terrace No. 2;
Unit 3 - 5801 Southwest 22nd Terrace No. 3;
Unit 4 - 5801 Southwest 22nd Terrace No. 4;

4. Building No. 11, more specifically known as
5807 Southwest 22nd Terrace

Unit 1 - 5807 Southwest 22nd Terrace No. 1;
Unit 2 - 5807 Southwest 22nd Terrace No. 2;
Unit 3 - 5807 Southwest 22nd Terrace No. 3;
Unit 4 - 5807 Southwest 22nd Terrace No. 4;

5. Building No. 12, more specifically known as
5811 Southwest 22nd Terrace

Unit 1 - 5811 Southwest 22nd Terrace No. 1;
Unit 2 - 5811 Southwest 22nd Terrace No. 2;
Unit 3 - 5811 Southwest 22nd Terrace No. 3;
Unit 4 - 5811 Southwest 22nd Terrace No. 4;

6. Building No. 13, more specifically known as
5815 Southwest 22nd Terrace

Unit 1 - 5815 Southwest 22nd Terrace No. 1;
Unit 2 - 5815 Southwest 22nd Terrace No. 2;
Unit 3 - 5815 Southwest 22nd Terrace No. 3;
Unit 4 - 5815 Southwest 22nd Terrace No. 4;

7. Building No. 14, more specifically known as
5809 Southwest 22nd Terrace

Unit 1 - 5809 Southwest 22nd Terrace No. 1;
Unit 2 - 5809 Southwest 22nd Terrace No. 2;
Unit 3 - 5809 Southwest 22nd Terrace No. 3;
Unit 4 - 5809 Southwest 22nd Terrace No. 4;

8. Building No. 15, more specifically known as
5813 Southwest 22nd Terrace

Unit 1 - 5813 Southwest 22nd Terrace No. 1;
Unit 2 - 5813 Southwest 22nd Terrace No. 2;
Unit 3 - 5813 Southwest 22nd Terrace No. 3;
Unit 4 - 5813 Southwest 22nd Terrace No. 4;

9. Building No. 16, more specifically known as
5817 Southwest 22nd Terrace

- Unit 1 - 5817 Southwest 22nd Terrace No. 1;
- Unit 2 - 5817 Southwest 22nd Terrace No. 2;
- Unit 3 - 5817 Southwest 22nd Terrace No. 3;
- Unit 4 - 5817 Southwest 22nd Terrace No. 4;

(k) Respective Floor Plans of Apartment Units

Pursuant to the requirements of K.S.A. 58-3111 and K.S.A. 58-3113, the Developer has filed with the Register of Deeds of Shawnee County, Kansas, simultaneous with the recording of this Amendment Expanding the Original Condominium and Declaration of Condominium, a copy of the floor plans for Pheasant Run Condominium Building No. 8, Building No. 9, Building No. 10, Building No. 11, Building No. 12, Building No. 13, Building No. 14, Building No. 15, and Building No. 16. Those floor plans were prepared by Knight, Remmele and Eaton, Architects for the Developer and, generally, depict the layout, location, apartment numbers, and the dimensions of each of the apartment's location in each of the buildings. In addition, in accordance with the requirements of K.S.A. 58-3113, there is a certificate from such licensed professional architect certifying that the recorded floor plans are accurate copies of portions of the building, as filed with and approved by the Topeka Building Inspector's Office who has the jurisdiction and control over the issuances of building permits for the construction of buildings within the city limits of the City of Topeka, Shawnee County, Kansas.

7. GENERAL DESCRIPTION OF THE STREET LOCATIONS OF THE APARTMENT UNITS AND THE APPROXIMATE AREA AND NUMBER OF ROOMS OF EACH APARTMENT UNIT

7.1 PHEASANT RUN BUILDING 8 APARTMENT UNIT 1

ADDRESS: 5805 Southwest 22nd Terrace - No. 1, Topeka, Kansas

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.2 PHEASANT RUN BUILDING 8 APARTMENT UNIT 2

ADDRESS: 5805 Southwest 22nd Terrace - No. 2, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	256 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	171 square feet

7.3 PHEASANT RUN BUILDING 8 APARTMENT UNIT 3

ADDRESS: 5805 Southwest 22nd Terrace - No. 3, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with one bath, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 952 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room and Dining Room	299 square feet
Kitchen	79.3 square feet
Master Bedroom	159 square feet
Bedroom No. 2	128 square feet
No. of baths	1-bath
Deck and extra storage	166 square feet

7.4 PHEASANT RUN BUILDING 8 APARTMENT UNIT 4

ADDRESS: 5805 Southwest 22nd Terrace - No. 4, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.5 PHEASANT RUN BUILDING 9 APARTMENT UNIT 1

ADDRESS: 5803 Southwest 22nd Terrace - No. 1, Topeka, Kansas

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.6 PHEASANT RUN BUILDING 9 APARTMENT UNIT 2

ADDRESS: 5803 Southwest 22nd Terrace - No. 2, Topeka, Kansas

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.7 PHEASANT RUN BUILDING 9 APARTMENT UNIT 3

ADDRESS: 5803 Southwest 22nd Terrace - No. 3, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with one bath, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 952 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room and Dining Room	299 square feet
Kitchen	79.3 square feet
Master Bedroom	159 square feet
Bedroom No. 2	128 square feet
No. of baths	1-bath
Deck and extra storage	166 square feet

7.8 PHEASANT RUN BUILDING 9 APARTMENT UNIT 4

ADDRESS: 5803 Southwest 22nd Terrace - No. 4, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.9 PHEASANT RUN BUILDING 10 APARTMENT UNIT 1

ADDRESS: 5801 Southwest 22nd Terrace - No. 1, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.10 PHEASANT RUN BUILDING 10 APARTMENT UNIT 2

ADDRESS: 5801 Southwest 22nd Terrace - No. 2, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with two baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,232 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	346 square feet
Dining Room	83 square feet
Kitchen	76 square feet
Master Bedroom	343 square feet
Bedroom No. 2	136 square feet
No. of baths	2-baths
Deck and extra storage	154.6 square feet

7.11 PHEASANT RUN BUILDING 10 APARTMENT UNIT 3

ADDRESS: 5801 Southwest 22nd Terrace - No. 3, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.12 PHEASANT RUN BUILDING 10 APARTMENT UNIT 4

ADDRESS: 5801 Southwest 22nd Terrace - No. 4, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with two baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,232 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	346 square feet
Dining Room	83 square feet
Kitchen	76 square feet
Master Bedroom	243 square feet
Bedroom No. 2	136 square feet
No. of baths	2-baths
Deck and extra storage	154.6 square feet

7.13 PHEASANT RUN BUILDING 11 APARTMENT UNIT 1

ADDRESS: 5807 Southwest 22nd Terrace - No. 1, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.14 PHEASANT RUN BUILDING 11 APARTMENT UNIT 2

ADDRESS: 5807 Southwest 22nd Terrace - No. 2, Topeka, Ka

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with two baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,232 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	346 square feet
Dining Room	83 square feet
Kitchen	76 square feet
Master Bedroom	243 square feet
Bedroom No. 2	136 square feet
No. of baths	2 - baths
Deck and extra storage	154.6 square feet

7.15 PHEASANT RUN BUILDING 11 APARTMENT UNIT 3

ADDRESS: 5807 Southwest 22nd Terrace - No. 3, Topeka, Ka

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.16 PHEASANT RUN BUILDING 11 APARTMENT UNIT 4

ADDRESS: 5807 Southwest 22nd Terrace - No. 4, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the second floor on the right side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with two baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,232 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	346 square feet
Dining Room	83 square feet
Kitchen	76 square feet
Master Bedroom	243 square feet
Bedroom No. 2	136 square feet
No. of baths	2-baths
Deck and extra storage	154.6 square feet

7.17 PHEASANT RUN BUILDING 12 APARTMENT UNIT 1

ADDRESS: 5811 Southwest 22nd Terrace - No. 1, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on the ground floor on the left side as observed while facing the front of the building in which it is located. This apartment unit is a two-bedroom unit with 1-1/2 baths, and no basement or attic;

APPROXIMATE AREA IN SQUARE FEET: 1,104 square feet;

This apartment unit includes in general the following described rooms with their approximate interior area dimensions expressed in square feet:

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

7.18 PHEASANT RUN BUILDING 12 APARTMENT UNIT 2

ADDRESS: 5811 Southwest 22nd Terrace - No. 2, Topeka, Kansas;

GENERAL DESCRIPTION: This apartment unit is located on

Living Room	258 square feet
Dining Room	101 square feet
Kitchen	93 square feet
Master Bedroom	171 square feet
No. of baths	1-1/2 baths
Patio and extra storage	172 square feet

8. BOUNDARY OF APARTMENT UNITS DESCRIBED FOR OWNERSHIP PURPOSES.

The boundary of each apartment unit, as hereinbefore described, for ownership purposes, shall be the same as the description of the boundaries of each apartment unit as set forth in the original Declaration of Condominium for Pheasant Run Condominiums Buildings 1, 2, 3, 4, 5, 6, and 7 in Section 4 of that original Declaration more specifically to be found and located in Book 5 commencing at Page 117 of the Condominium Records in the office of the Register of Deeds of Shawnee County, Kansas. All of the provisions therein contained relating to the original apartment units in the Declaration of Condominium will apply identically to the respective condominium units herein created by this Amendment of Expanded Condominiums.

9. REALLOCATION AND ALTERATION OF INTERESTS IN COMMON AS A RESULT OF THIS AMENDMENT EXPANDING THE ORIGINAL CONDOMINIUM.

Pursuant to the provisions of Section 5.3 and 5.4 of the original Declaration of Condominium, the Developer reserved its right to alter and modify the respective interests in the common areas of the original apartment units established in the original Declaration of Condominium and to also provide for the allocation of respective interests in common areas by the apartment units added by any subsequent expansion of the Declaration of Condominium.

10. LIMITED COMMON AREAS AND FACILITIES.

The decks and patios described in paragraphs 6, 7 and 8 hereof, as appertaining to each unit of this Expanded Condominium shall be known as limited

common areas as allowed in K.S.A. 58-3102. The apartment unit to which such patio or deck adjacent shall be entitled to the exclusive use of such.

10.1 Location of Tennis Courts

Attached hereto as Exhibit "C" and incorporated herein is a plat of survey by Bartlett and West, Consulting Engineers, P.A., which plat of survey shows graphically the general description of the location of the two tennis courts to be constructed by the Developer on land added to the condominium by this Amendment. Said tennis courts are for the use and enjoyment of the owners of all sixty-four existing condominium apartment units. Provided, that such tennis courts may be considered as common areas for future apartment units created by future expansion amendments as reserved in the original Declaration of Condominium.

10.2 Construction Criteria for Tennis Courts for the Developer

The two tennis courts will be constructed by the Developer in a good and workmanlike manner, prior to the date hereinabove provided for in compliance with the applicable zoning laws and building permit laws of the City of Topeka. Such facilities will be completed by the Developer prior to the 31st day of December, 1980. Provided, that such deadline shall be extended from time to time as shall be required because of delays occasioned to the Developer through no fault of it. Such extensions due to unavoidable delays shall include, but not be limited to, labor shortages, material shortages, strikes, acts of God, or other occurrences or conditions which shall not be caused by the Developer or its agents or employees.

10.2 Tennis Courts as Common Areas

The two tennis courts to be constructed on the expanded condominium land pursuant to this Amendment shall be common areas for all the condominium apartment units in Pleasant Knb Condominium Buildings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

11. DESCRIPTION AND DECLARATION OF COMMON AREAS AND FACILITIES AND PROVISIONS RELATING THERETO.

The common areas and facilities in which each of the apartment owners of this Amendment of Expanded Declaration of Condominium shall have an undivided interest in the amount hereinafter set out shall consist of all of the property, except the units owned by the individual apartment owners as such property is described in Exhibits "A" and "A-1", "A-2", "A-3", "A-4", "A-5", "A-6", "A-7", and "B" attached hereto, and paragraphs 7 and 8 hereof. Further, that such common areas and facilities will include the land of this Expanded Condominium, as shown on such Exhibits, as well as all central utility facilities including primary utility lines serving each of the buildings contained within the Condominium. Further, the common areas and facilities shall include the exterior and perimeter walls of each of the buildings and the units located therein internally to the exterior face of the wallboards within each apartment unit. Further, such common areas and facilities shall include all exterior hallways, stairways, porches, steps, walkways, parking areas, including driveways, plantings and landscaping, grass and private streets and ways, and any and all other portions of real or personal property not herein specifically described contained within the limits of that property described and declared as condominium property in Exhibit "C" hereto except that portion previously declared as individual unit property and subject to the ownership by apartment unit owners. All structural components, including beams, trusses, joists, studs, roof services, shingles, flues and other structural components shall be considered as common areas and facilities. Further, the common areas and facilities shall include all easements herein granted for private ways and roads and easements given to public utility companies pursuant to this Amendment of Expanded Declaration of Condominium and any such easements that may later be abandoned or reconveyed.

12. CONVEYANCE OF COMMON AREAS AND FACILITIES

The Developer will simultaneous with this filing offer for sale the

condominium apartment units created by this Amendment expanding the original Declaration of Condominium as construction on the units is completed. That all such conveyances, when made by the Developer, shall be subject to the provisions of the original Declaration of Condominium, as hereinabove referred to, and this Amendment expanding that Declaration of Condominium. That along with each conveyance of a condominium apartment unit, the Developer will convey a deck or patio, as the case may be, as limited common area appurtenant to the unit and an undivided interest in the common areas and facilities originally declared in the Declaration of Condominium and additional common areas and facilities as established by this Amendment expanding the original Condominium Declaration as that percentage interest is determined and established for each apartment unit in Paragraph 13 hereof. Each apartment unit owner's undivided interest in the common areas shall be subject to the mutual and reciprocal easements of use of such common areas and facilities by all of the apartment owners of the units declared in this Amendment expanding the original Declaration of Condominium, as well as all of the other apartment owners of the original Buildings 1, 2, 3, 4, 5, 6 and 7 of the Declaration of Condominium previously filed, all pursuant to Paragraphs 5 and 10, 11 & 12 hereof. Further, such undivided interests and their use and enjoyment by the individual apartment unit owners shall be subject to the management, operation, maintenance, rules and regulations pertaining to the common areas and facilities by the Pheasant Run Condominium Homeowners Association, Inc., as originally set out in the Declaration of Condominium, hereinabove referred to.

The Developer has previously established additional facilities in the original land contained in the Declaration of Condominium and each member of the Pheasant Run Condominium Homeowners Association, which shall include all of the owners of apartment units in this Expanded Condominium Phase, shall have the right to the use and enjoyment of these specific common areas and the facilities constructed thereon and that easement of enjoyment and their individual undivided interest in

said common areas shall be appurtenant to and pass with the title of each of these condominium units in this expanded condominium to the same full degree and extent as the original apartment units owners were thereby entitled, pursuant to the provisions of the original Declaration of Condominium. Each apartment unit in this Expanded Condominium, together with its owner, their families, visitors, guests, and successors in interest shall have the right to the use of such common areas and facilities, including the pool, concrete deck, tennis courts and cabana clubhouse, to the same extent as the original unit owners in the Condominium.

13. PERCENTAGE INTEREST OF APARTMENT UNIT OWNERS IN COMMON AREAS AND FACILITIES.

The percentage undivided interest, which the individual owners of the apartment units within the original Declaration of Condominium and those apartment units within this Expanded Condominium will have in the common areas and facilities, shall be as follows:

<u>UNIT DESCRIPTION</u>	<u>PAR VALUE</u> (in points)	<u>PERCENTAGE INTEREST</u>
Building No. 1, 5849 Southwest 22nd Terrace		
Unit No. 1	1.56	1.56%
Unit No. 2	1.56	1.56%
Unit No. 3	1.56	1.56%
Unit No. 4	1.56	1.56%
Building No. 2, 5851 Southwest 22nd Terrace		
Unit No. 1	1.56	1.56%
Unit No. 2	1.56	1.56%
Unit No. 3	1.56	1.56%
Unit No. 4	1.56	1.56%
Building No. 3, 5855 Southwest 22nd Terrace		
Unit No. 1	1.56	1.56%
Unit No. 2	1.56	1.56%
Unit No. 3	1.56	1.56%
Unit No. 4	1.56	1.56%
Building No. 4, 5859 Southwest 22nd Terrace		
Unit No. 1	1.56	1.56%

Building No. 11, 5807
Southwest 22nd Terrace

Unit 1	1.56	1.56%
Unit 2	1.56	1.56%
Unit 3	1.56	1.56%
Unit 4	1.56	1.56%

Building No. 12, 5811
Southwest 22nd Terrace

Unit 1	1.56	1.56%
Unit 2	1.56	1.56%
Unit 3	1.56	1.56%
Unit 4	1.56	1.56%

Building No. 13, 5815
Southwest 22nd Terrace

Unit 1	1.56	1.56%
Unit 2	1.56	1.56%
Unit 3	1.56	1.56%
Unit 4	1.56	1.56%

Building No. 14, 5809
Southwest 22nd Terrace

Unit 1	1.56	1.56%
Unit 2	1.56	1.56%
Unit 3	1.56	1.56%
Unit 4	1.56	1.56%

Building No. 15, 5813
Southwest 22nd Terrace

Unit 1	1.56	1.56%
Unit 2	1.56	1.56%
Unit 3	1.56	1.56%
Unit 4	1.56	1.56%

Building No. 16, 5817
Southwest 22nd Terrace

Unit 1	1.56	1.56%
Unit 2	1.56	1.56%
Unit 3	1.56	1.56%
Unit 4	1.56	1.56%

Pursuant to the requirements of K.S.A. 58-3106, each apartment unit owner shall have an undivided interest in the amount of the percentage set forth above in the common areas and facilities as a tenant in common with all other unit owners. Such interest in common areas and facilities shall be considered as

a part of the ownership of the apartment ownership and no interest in the common areas facilities of an apartment unit can be, by deed, plat or otherwise, subdivided, separated, or divided into smaller units than those herein created as shown by the Exhibit attached hereto, except pursuant to the expandable provisions of Paragraph 5 and pursuant to Paragraph 17 of the original Declaration of Condominium, as hereinabove referred to.

14. MEMBERSHIP.

Each apartment unit owner, as established in the original Declaration of Condominium and as established by this Expansion Amendment, shall be entitled to membership in the Pheasant Run Homeowners Association, Inc. with a corresponding membership percentage in vote equal to the percentage set forth in Paragraph 13 of this amendment. The terms and conditions of said membership in the exercise of voting privilege belonging to the apartment unit owners shall be as prescribed by the By Laws of the Homeowners Association which were filed simultaneous with the original Declaration and attached as Exhibit "C" to that Declaration.

15. All of the provisions as set forth at paragraphs 8, 9, 9.1, 9.2, 9.3, 9.4, 9.5, 9.6, 9.7, 9.8, 9.9, 10, 10.1, 11 and 11.1 in the original Declaration of Condominium for Pheasant Run Buildings 1 through 7 and specifically recorded in the Register of Deeds of Shawnee County, Kansas, in Condominium Book No. 5, commencing at page 129 and continuing through page 139, are to apply to the apartment units created by this Expansion Amendment to the same extent, except that such provisions shall be modified to the extent necessary to include the additional units which are expanded as a result of this Amendment so that such provisions shall be speaking to the total 64 units created to date by the original Declaration and this Amendment.

16. That all of the provisions contained in paragraphs 12, 12.1, 12.2, and 13 of the original Declaration of Condominium for Pheasant Run Buildings 1 through 7, and specifically to be found in the records of the Register of Deeds of Shawnee County, Kansas, in Condominium Book No. 5, commencing at page 139 and continuing

through page 142, are to apply equally to the apartment units created by this Expansion Amendment to the same full degree and extent as they applied to the original apartment units created by the Declaration of Condominium for Pheasant Run Buildings 1 through 7.

17. The provisions of paragraphs 14, 14.1, 14.2, 14.3, 14.4, 14.5 and 14.6 shall apply to the apartment units created by this Expansion Amendment to the same full degree and extent as they applied to the original apartment units created by the Declaration of Condominium for Pheasant Run Buildings 1 through 7. Those paragraphs are specifically to be found in the office of the Register of Deeds of Shawnee County, Kansas, in Condominium Book No. 5, commencing at Page 142 and continuing through 145. The provisions of paragraph 14.7 found in Condominium Book No. 5 at Pages 145 and 146 are to apply, likewise, to the apartment units created by this Expansion Amendment, except that the percentage upon which the expenses will be assessed will be apportioned to all sixty-four (64) units in accordance with the percentage interest set forth in paragraph 13 of this Amendment.

18. The provisions of paragraph 14.8 of the original Declaration of Condominium for Pheasant Run Buildings 1 through 7 and more specifically found in the office of the Register of Deeds in Condominium Book No. 5 at Page 146, shall apply equally to the apartment units created by this Expansion Amendment, except that the reference to the undivided interest in the common areas shall be as established in paragraph 13 of this Amendment for all sixty-four (64) units rather than as originally set forth for the units created by the original Declaration. The provisions of paragraph 14.9, 14.10, 14.11, 14.12, 14.13, 15, 16, 17, 18, 19, 20, 21, 21.1, 21.2, 21.3, 22, 23, 24, 25, 26, 27, and 28 shall apply equally to the apartment units created by this Expansion Amendment to the same full degree and extent as they apply to the original apartment units created in the Declaration of Condominium for Pheasant Run Buildings 1 through 7. Those particular paragraphs are found in the original Declaration of Condominium in the office of the Register of Deeds in Condominium Book No. 5 beginning with Page 147 and continuing through Page 156.

19. All provisions and Exhibits of the original Declaration of Condominium of Pheasant Run Buildings 1, 2, 3, 4, 5, 6 and 7, a Condominium in Topeka, Shawnee County, Kansas, recorded in the office of the Register of Deeds of Shawnee County, Kansas, in Condominium Book No. 5, commencing at Page 94, Amendment No. 1 recorded in that same office in Condominium Book 6 at Page 151, and Amendment No. 2 recorded in that same office in Condominium Book 7 at Page 219, not herein amended are expressly reaffirmed by the Developer.

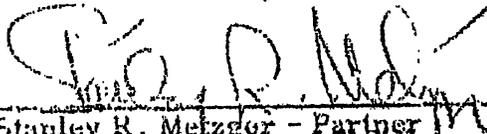
Further, the Developer expressly reserves its right to further expand this Condominium by amendment by adding appropriate land as reserved and described in paragraph 5.2(b) and 5.2(c) of the original Declaration of Condominium and specifically recorded in Condominium Book No. 5 at Pages 120 and 121. In addition, the Developer expressly reserves the right to reallocate all existing interests in common areas and alter them as additional expansions may occur, all as set forth in Paragraphs 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, 5.10 and 5.11, specifically recorded in Condominium Book No. 5 at Pages 121-124 in the office of the Register of Deeds, Shawnee County, Kansas, together with any other appropriate paragraphs of the original Declaration.

IN WITNESS WHEREOF, the Developer, through its lawfully authorized agent, has caused this Amendment No. 3 to the Declaration of Condominium of Pheasant Run Buildings 1, 2, 3, 4, 5, 6, and 7 hereby expanding said Condominium to include Pheasant Run Buildings 8, 9, 10, 11, 12, 13, 14, 15 and 16 to be signed the day and year first above written.

DEVELOPER:

PHEASANT RUN COMPANY, A
General Partnership

By


Stanley R. Metzger - Partner